

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THEODORE VISNER,

Plaintiff,

HONORABLE PAUL L. MALONEY

v.

Case No. 1:16-cv-1385

EDWARD WINKLER,

Defendant.

ORDER OF DISMISSAL

Plaintiff initiated this lawsuit as a miscellaneous action on November 16, 2016 (1:16-mc-119). After review of the matter, an order issued that directed the Clerk of Court to convert Plaintiff's lawsuit to a civil action, and directed Plaintiff to pay the remainder of the \$400 filing fee owed to the Court or to file an application to proceed *in forma pauperis* (ECF No. 2). The order further warned Plaintiff that failure to pay the remaining fee or to file the application by a December 12, 2016 deadline would result in termination of this matter. A review of the court's records on today's date reflects that Plaintiff has not paid the remaining balance of \$354, nor has he applied for *in forma pauperis* status. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED .**

Date: December 15, 2016

/s/ Paul L. Maloney

Paul L. Maloney  
United States District Judge